

Application No.: 08/849,404
Docket No.: CR-9715-B

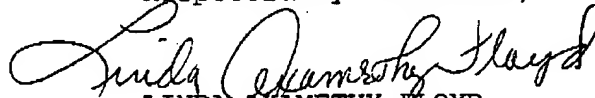
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The undersigned regrets any inconvenience to the Examiner with regard to this issue. Both the instant patent application and the cited US 6,025,184 trace their lineage to a common parent, Appl. No. 08/440,293, filed 12 May 1995. This genealogy appears on the cover page of the PCT publication WO96/35796. As the Examiner points out, the priority case included any host bacterium comprising the 35 kb fragment and suggested (Column 10, lines 56-67, and Column 11, lines 1-9) that other specific hosts can be used in the invention. The particular deposited strains of the instant Claims 24-30 fall under the umbrella of the issued claims. Applicants agree that the pending claims are not identical with the issued claims of the '184 patent.

Applicants do intend to file a terminal disclaimer as suggested. However, an inconsistency in the assignment record requires attention to permit this to be filed. The undersigned regrets the delay.

In view of the foregoing, a Second Request for Continued Examination is filed concurrently.

Respectfully submitted,



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Dated: 21 November 2001

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PTO/SB/29A (08-00)

Approved for use through 10/31/2002. OMB 0851-0032

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2. APPLICATION IDENTIFICATION:

(Provide at least enough information to identify the application)

a. For prior application

Application No.: 08/849,404
Filing Date: May 22, 1997
Title: Bioconversion of a Fermentable Carbon Source to 1,3-Propanediol by a Single Microorganism
Attorney Docket No.: CR-9715 B
First Named Inventor: Laffend et al.

b. For Instant CPA Application

New Attorney Docket No.:
(if applicable)

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